

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

FILED - GR

December 26, 2024 11:36 AM

CLERK OF COURT

U.S. DISTRICT COURT

WESTERN DISTRICT OF MICHIGAN

BY: KB SCANNED BY: jm 12/26Shawn Paul Grossman #621120

(Enter above the full name of the plaintiff(s), including prisoner number, in this action. If you cannot list all plaintiffs in the space provided, please write "see attached" and list all names on an additional page.)

v.

#1 U of M - Ann Arbor - 1500,E. Medical Center Dr.Ann Arbor, MI 48109,#2 Macomb Correctional Facility, (MRF)Healthcare Provider

(Enter above the full name of the defendant(s) in this action. If you cannot list all defendants in the space provided, please write "see attached" and list all names on an additional page.)

COMPLAINT

(Print Clearly)

I. Previous Lawsuits

CAUTION: The Prison Litigation Reform Act has resulted in substantial changes in the ability of incarcerated individuals to initiate lawsuits in federal courts without prepayment of the civil action filing fee. Accurate and complete responses are required concerning your litigation history. Generally, a plaintiff's failure to accurately and completely answer the questions set forth below will result in denial of the privilege of proceeding *in forma pauperis* and require you to pay the entire \$405.00 filing fee regardless of whether your complaint is dismissed.

A. Have you ever filed a lawsuit while incarcerated or detained in any prison or jail facility? Yes ☒ No ☐

B. If your answer to question A was yes, for each lawsuit you have filed you must answer questions 1 through 5 below. Attach additional sheets as necessary to answer questions 1 through 5 below with regard to each lawsuit.

1. Identify the court in which the lawsuit was filed. If it was a state court, identify the county in which the suit was filed. If the lawsuit was filed in federal court, identify the district within which the lawsuit was filed.

Western District and Eastern District

2. Is the action still pending? Yes
- ☒
- No
- ☐

a. If your answer was no, state precisely how the action was resolved: N/A

3. Did you appeal the decision? Yes
- ☐
- No
- ☒

4. Is the appeal still pending? Yes
- ☐
- No
- ☒

a. If not pending, what was the decision on appeal? N/A

5. Was the previous lawsuit based upon the same or similar facts asserted in this lawsuit? Yes
- ☐
- No
- ☒

a. If so, explain: N/A

II. Parties

A. Plaintiff(s)

Enter your name, place of confinement, address, and place of confinement during the events described in the complaint in the blanks below. Provide the same information for any additional plaintiffs. Attach extra sheets as necessary.

Name of Plaintiff Shawn Paul Grossman

Place of Present Confinement Marquette Branch Prison

Address 1960 U.S. Hwy 41 South, Marquette, MI 49855

Place of Confinement During Events Described in Complaint MRF, Macomb Facility

B. Defendant(s)

Complete the information requested below for each defendant in this action, including whether you are suing each defendant in an official and/or personal capacity. Provide the same information for each additional defendant. If there are more than six defendants attach extra sheets as necessary.

Name of Defendant #1 UoFM Ann Arbor 1500 E. Medical Center Dr.

Position or Title Ann Arbor, MI 48109 / Hospital

Place of Employment Hospital in Ann Arbor

Address UoFM Ann Arbor 1500 E. Medical Center Dr. Ann Arbor, MI

Official and/or personal capacity? Personal capacity 48109

Name of Defendant #2 Macomb Correctional Facility Healthcare

Position or Title Healthcare Provider

Place of Employment MRF Prison

Address 34625, 26 Mile Rd. Lenox Twp., MI 48048

Official and/or personal capacity? Personal capacity

Name of Defendant #3 _____

Position or Title _____

Place of Employment _____

Address _____

Official and/or personal capacity? _____

Name of Defendant #4 _____

Position or Title _____

Place of Employment _____

Address _____

Official and/or personal capacity? _____

Name of Defendant #5 _____

Position or Title _____

Place of Employment _____

Address _____

Official and/or personal capacity? _____

#1
 III. Statement of Claim

State here the **facts** of your case. Describe how each defendant is personally involved. Include also the names of other persons involved, dates and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. **Do not include unrelated claims.** Use as much space as you need. Attach extra sheets if necessary.

On 6/14/23. MRF Macomb Correctional Facility Prison, Sent me on a OFF-Site to U of M Ann Arbor, Hospital. A EMG Test was conducted on both my left and Right Arms. The test that was Performed, They made both my arms jump by messing with the nerves in my wrists and elbow. The left one was done and it wasn't painful at all. When the right one was done at the bend of my elbow, I Felt my nerve pinch and a shooting Fire pain shot down my Arm. It was extremely painful and left my arm numb for over a year now. My right Arm and hand is and Feels half asleep. I thursts in the tips of my fingers sometimes and I Feel pressure in my finger tips. I have lossed the ability to guage the pressure I am applying to objects when I hold them. Such as pens, pencils drinking cups, Utensils. I can't feel what I am holding properly and keep dropping these things because hand being numb. I have spoken to my healthcare providers who all say that when I broke my hand in 2019 that it's not from that or my Dergenative Disc disease. My hand wasn't numb at all before this test was done. This EMG Test was the cause. It felt like they pinched the nerve and closed it off for a second when the right Arm was done

IV. Relief

State briefly and precisely what you want the court to do for you.

Plaintiff requests this Court to grant the following relief.
 Declare Defendants cause significant damage to Plaintiff
 right Arm/Hand when Performing EMG Test. Declare
 Defendants Gross negligence cause severe nerve damage.
 Declare Defendants Medical Mal Practise has left Plaintiffs
 right hand Paralyzed from EMG Test And has disrupted Plaintiffs
 daily life and Functions due to Gross-negligence. And to Award
 Compensatory damages for physical injury and punitive damages.

V. Notice to Plaintiff Regarding Consent *Grant Plaintiff such other relief as it may appear I am entitled to*

In accordance with the provisions of 28 U.S.C. § 636(c) and Federal Rule of Civil Procedure 73, you are hereby notified that the United States magistrate judges of this district court may, upon your consent, conduct any or all proceedings in this case, including a jury trial and entry of a final judgment. If you consent, any appeal from a judgment entered by a magistrate judge shall be taken directly to the United States Court of Appeals for this judicial circuit in the same manner as an appeal from any other judgment of a district court.

Magistrate judges have greater flexibility in their schedules than district judges, who have heavy criminal caseloads that take priority over civil trials. Accordingly, the magistrate judges are generally able to schedule prisoner civil rights cases for jury trial much sooner, and they are able to provide firm trial dates. Magistrate judges are experienced trial judges who handle a great number of prisoner civil rights cases.

Your decision to consent to the dispositive jurisdiction of a United States magistrate is entirely voluntary. If you do not consent to a magistrate judge, the case will be randomly assigned to a district judge. The magistrate judge already assigned to this case would continue to decide all pretrial matters and would handle all dispositive motions by report and recommendation.

Please check **ONE** box below to indicate whether you voluntarily consent to proceed with a United States magistrate judge or if you would instead prefer that the case be assigned to a district judge.

☒ I hereby voluntarily consent to the United States magistrate judge conducting all proceedings in this case, including entry of a final judgment and all post-judgment matters.

☐ I request that this case be assigned to a district judge.

Date

12/17/24

Signature of Plaintiff

NOTICE TO PLAINTIFF(S)

The failure of a *pro se* litigant to keep the court apprised of an address change may be considered cause for dismissal.

Prisoner Name: Shawn Gomez

Prisoner Number: #621120

MARQUETTE BRANCH PRISON
1960 U.S. Highway 41 South
Marquette, MI 49855

Case 2:24-cv-00217-RJM-MV

ECF No. 1, PageID.5 Filed 12/26/24 Page 5 of 5

KINGSFORD MI 498

25 DEC 2024

FIRST-CLASS



US POSTAGE PITNEY BOWES

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Grand Rapids, MI 49503-2362

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